

United States District Court  
Northern District of California

**UNITED STATES DISTRICT COURT**

**Northern District of California**

Resnick,

Plaintiff(s),

v.

Walmart.com USA LLC,

Defendant(s).

09-00002 PJH

**NOTICE RE: NONCOMPLIANCE  
WITH COURT ORDER**

**This Document Also Relates to:**

3:09-cv-00096-PJH O'Connor v. Walmart.com USA LLC et al

3:09-cv-00111-PJH Endzweig v. Walmart.com USA LLC. et al

3:09-cv-00116-PJH Schmitz v. Walmart.com USA LLC et al

3:09-cv-00138-PJH Lynch et al v. Walmart.com USA LLC et al

3:09-cv-00139-PJH Groce et al v. Netflix, Inc. et al

3:09-cv-00156-PJH Sivek v. Walmart.com USA LLC. et al

3:09-cv-00180-PJH Faris v. Netflix, Inc. et al

3:09-cv-00225-PJH Slobodin v. Netflix, Inc. et al

3:09-cv-00236-PJH Anthony et al v. Walmart.com USA LLC et al

3:09-cv-00244-PJH Polk-Stamps v. Netflix, Inc. et al

3:09-cv-00274-PJH Sheeler v. Walmart.com USA LLC et al

3:09-cv-00294-PJH Chapman v. Netflix, Inc. et al

3:09-cv-00297-PJH Orozco v. Netflix, Inc. et al

**Notice Re: Noncompliance With Court Order**

09-00002 PJH

-1-

1 3:09-cv-00340-PJH Landels et al v. Netflix, Inc. et al  
2 3:09-cv-00349-PJH Grime v. Netflix, Inc. et al  
3 3:09-cv-00361-PJH Meyer v. Walmart.com USA LLC et al  
4 3:09-cv-00368-PJH Randall v. Walmart.com USA LLC et al  
5 3:09-cv-00377-PJH Miscioscia v. Netflix, Inc. et al  
6 3:09-cv-00391-PJH Chatelain v. Netflix, Inc. et al  
7 3:09-cv-00398-PJH Weiner v. Walmart.com USA LLC et al  
8 3:09-cv-00399-PJH Millrood v. Walmart.com USA LLC et al  
9 3:09-cv-00400-PJH Kober v. Walmart.com USA LLC et al  
10 3:09-cv-00402-PJH Lacabe v. Walmart.com USA LLC et al  
11 3:09-cv-00445-PJH Bruno et al v. Walmart.com USA LLC et al  
12 3:09-cv-00447-PJH Zaker -v- Netflix, Inc. et al  
13 3:09-cv-00496-PJH Parikh v. Netflix, Inc. et al  
14 3:09-cv-00553-PJH Johnson v. Walmart.com USA LLC et al  
15 3:09-cv-00554-PJH Gannon v. Walmart.com USA LLC et al  
16 3:09-cv-00678-PJH Williams v. Netflix, Inc. et al

17  
18 The parties have failed to file an ADR Certification and either a Stipulation and  
19 [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone  
20 Conference as required by the Initial Case Management Scheduling Order. Counsel  
21 shall Meet and Confer forthwith in an attempt to agree on an ADR process for this  
22 matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file  
23 an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting**  
24 **ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b),  
25 ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available  
26 at [www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov).)  
27  
28

1 Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a  
2 copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax  
3 (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,  
4 450 Golden Gate Avenue, 16<sup>th</sup> Floor, San Francisco, California), or by PDF attachment  
5 to an e-mail directed to [adr@cand.uscourts.gov](mailto:adr@cand.uscourts.gov).

6  
7 It is the responsibility of counsel to schedule an ADR Phone Conference, if  
8 required, to occur before the Case Management Conference.

9  
10  
11 Dated: March 25, 2009

12 RICHARD W. WIEKING

Clerk

13 by: Timothy J. Smagacz

14 

15 ADR Program Administrator

415-522-4205

16 [Tim\\_Smagacz@cand.uscourts.gov](mailto:Tim_Smagacz@cand.uscourts.gov)

## PROOF OF SERVICE

Case Name: Resnick v. Walmart.com USA LLC

Case Number: 09-00002 PJH

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program  
United States District Court  
Northern District of California  
450 Golden Gate Avenue Floor 16  
San Francisco, CA 94102

On March 25, 2009, I served a true and correct copy of:

### **Notice Re: Noncompliance With Court Order**

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

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[ ] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[ ] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on March 25, 2009 in San Francisco, California.

RICHARD W. WIEKING

Clerk

by: Timothy J. Smagacz

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ADR Program Administrator

415-522-4205

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